

EXHIBIT A

**Chapter 13.20
SELF-FUNDING MUNICIPAL SEWER DEPARTMENT**

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Article I. Introduction

13.20.010 Purpose.

The purpose of this chapter is to set forth uniform regulations.

There is hereby created and established in the Town of Skykomish, a sewer utility system. Such sewer utility system is hereby established in accordance with the laws of the state of Washington to provide for and establish sewer rates and charges, the establishment of necessary indebtedness and to maintain and operate the sewer system.

13.20.020 Definitions.

Words and phrases used in this chapter, unless the same shall be contrary to or inconsistent with the context, shall mean as follows:

- (1) "Accessory living unit" means a residential structure or portion thereof that includes living/sleeping quarters, a kitchen and a bathroom on a premises occupied by a structure connected to the sewer system.
- (2) "ASTM" means the American Society for Testing Materials.
- (3) "Building sewer" means the privately owned piping, valves, and fittings that are necessary to connect a structure and its internal plumbing to an onsite facility.
- (4) "Capital fund" means the account established to manage those funds collected and expended specifically for design, engineering, permitting, regulatory approval, funding, construction, construction management, taxes, administration, legal and other costs directly attributed to the construction and placement in service of the sewer system. Capital funds may be utilized for comprehensive planning, connection charge studies and similar efforts supporting the sewer utility with an anticipated useful life of two or more years. Capital funds may be used for payment of principal and interest on loans secured for Capital fund expenditures.
- (5) "Capping permit" means a permit required for the disconnection of sewer service.
- (6) "Commercial customer" means a customer of the Town utilizing the premises connected to the Town system for nonresidential or commercial purposes, including without limitation, retail uses, grocery and/or convenience stores, restaurants or other eating establishments, bars or lounges, clubhouses, public or private community buildings, gas stations, auto repair or service stations, professional offices, banks or lending institutions, barber or beauty shops, warehouses, theaters or auditoriums, laundromats, schools, medical facilities, hospitals, rest homes, convalescent centers or treatment facilities.

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- (7) "Clerk" means the clerk-treasurer of the Town of Skykomish or his/her authorized representative, deputy or agent.
- (8) "Connection" to the Town sewer system shall be considered any attachment or connection to a sewer main or side sewer by any person for sewer service.
- (9) "Council" means the Town council of the Town of Skykomish.
- (10) "County" means King County, Washington.
- (11) "Cover" means the depth of material lying between the top of the sewer or drain and the finish grade immediately above it.
- (12) "Customer" means a property owner that has a connection to the sewer system.
- (13) "Ecology" means the Washington State Department of Ecology.
- (14) "Eligible structure" means a structure existing as of April 22, 2009 and with an active and paid current water account as of the month of application for connection to the sewer system, whether in phase I, II or III of the sewer plan. Within phase I, in order to be considered an eligible structure, the property owner must have provided access to the property upon which the structure is situated for cleanup within the BNSF Former Maintenance and Fueling Facility, Skykomish, Washington site area pursuant to the King County Superior Court Consent Decree No. 07-2-33672-9SEA and any subsequent amendments thereto.
- (15) "Equivalent Residential Unit" or "ERU" means a single family residence or equivalent thereof as established by the Town's sewer code.
- (16) "FOG" means fats, oils and grease.
- (17) "Downspout" means a pipe which conducts water from a roof of a building or structure.
- (18) "In front of". A pipeline shall be considered to be "in front of" a parcel of property irrespective of which side of the street the pipeline is located on.
- (19) "Initial commitment deadline" means the date established by ordinance by the Town by which the property owner shall complete the sewer service application process, including approval by the Town, and after which the installation of onsite facilities and/or the side sewer on private property for eligible structures shall become the responsibility of the property owner, at their sole expense. The Town may establish different initial commitment deadlines for phases I, II and/or III or sub-phases thereof for implementation of the sewer plan.
- (20) "Latecomer charges" means those charges to be collected by the Town and reimbursed to a developer or property owner per the terms of a latecomer or reimbursement agreement duly executed by the Town, in the situation where a sewer developer extension has benefited the property subject to such charges, thus reducing or eliminating the need for additional sewer developer extension by or for the subject property.

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- (21) "Licensed sewer contractor" means a contractor, licensed and bonded to do work incidental to the construction or repair of side sewers, and onsite facilities under a permit issued by the Town.
- (22) "Mains" means sewer lines designed or used to serve more than one premises.
- (23) "Mixed use" means a structure serving multiple uses including but not limited to residential and commercial uses.
- (24) "Multiple dwelling" means a multiple-family dwelling, namely, a building designed and/or used to house two or more families living independently of each other and including all necessary household functions of each such family, such as, motels, hotels and apartments.
- (25) "Occupant" means any person or owner in physical possession of the building or structure to which sewer service is available.
- (26) "Operation and maintenance fund" means the account established to manage those funds collected and expended specifically for administrative, operation, maintenance and similar regular or ongoing expenses of the sewer utility, including fund transfers to the capital fund for depreciation or repair and replacement of sewer utility assets. Operation and maintenance funds may be used for payment of principal and interest on loans secured for capital fund expenditures, at the direction of the Town council.
- (27) "Onsite facility" means that portion of the sewer system located on private property but owned, operated and maintained by the Town, including but not limited to the sedimentation tank, sedimentation tank effluent pump, electrical service from an electricity load center and service, pump control panel and level sensors, effluent basin, pressure or gravity discharge piping and valves between the sedimentation tank and the side sewer and other appurtenances in and downstream of the sedimentation tank.
- (28) "Permit" means a permit issued in conjunction with any provision of this chapter, which permits shall be posted on the premises or shall be readily and safely accessible to the sewer superintendent.
- (29) "Person," "customer," or "owner" means any individual, firm, company, association, society, corporation or group; and the singular term shall include the plural.
- (30) "Plumbing outlet" means the part of the lowest horizontal piping of a drainage system that received the discharge from drainage pipes inside the walls of the building and conveys it to the building sewer. The latter begins thirty inches outside the inner face of the building wall.
- (31) "Premises" means any parcel of land to which sewer is provided, including all structures, improvements, mobile homes and other facilities located on it.

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- (32) "Property Owner" means the person or entity that is the legal owner of the property served by a sewer connection. Property owner shall include any person who is acquiring the property by an owner contract.
- (33) "Public place" or "public area" means any space dedicated to or acquired for the use of the general public.
- (34) "Sanitary sewage" means wastewater derived from domestic, commercial and industrial wastes and to which storm, surface, and ground water are not intentionally admitted.
- (35) "Sanitary sewer" means a sewer pipe or system which carries sanitary sewage.
- (36) "Sedimentation tank effluent pump" or "STEP" means that portion of the onsite facilities necessary for pumping clarified sewage from a sedimentation tank into the sewer system, including electrical power service connection, control panel and level sensors.
- (37) "Sewage" is a comprehensive term including industrial waste, storm drainage and wastewater.
- (38) "Sewer construction standards" mean the standards for construction of sewer lines and appurtenances, as promulgated by the sewer superintendent from time to time.
- (39) "Sewer plan" means that specific General Sewer and Facility Plan, dated March 2007, adopted by Town Council by Ordinance No. 385, as may be amended.
- (40) "Sewer system extension" means any sewer system extension, or improvement to the Town sewer system.
- (41) "Sewer system" means the Town's onsite facilities, side sewers, collection, transmission and effluent piping, lift stations, sewer treatment plant and effluent drainfield and appurtenances, installed per the sewer plan.
- (42) "Sewer utility" means that portion of the Town's administrative program and assets dedicated to planning, funding, design, construction, operation, maintenance, upgrade, renewal and replacement of the sewer system.
- (43) "Side sewer" means that portion of the sewer system located in the public right of way or on easement for connection of the onsite facility to the sewer main.
- (44) "Single-family dwelling" means a structure designed and/or used to house a single family.
- (45) "Standard methods" means the current edition of Standard Methods for the Examination of Sewer and Waste; as jointly published by the Water Environment Federation, American Water Works Association, and the American Public Health Association.
- (46) "Storm drain" means a public or private drain which carries storm and surface water or drainage effluent from storm plumbing outlets, and other unpolluted water.
- (47) "Structure" means a single-family or multiple family dwelling building or other building designed for occupancy by humans or designed for use by humans for

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business, employment, education, recreation, religious services or gatherings or other similar purposes.

- (48) "Substantial improvement" means any repair, reconstruction, or improvement of a structure, the cost of which equals or exceeds 50 percent of the market value of the structure either before the repair is started, or, if the structure has been damaged and is being restored, before the damage occurred. For the purposes of this definition "substantial improvement" is considered to occur when the first alteration of any wall, ceiling, floor, or other structural part of the building commences, whether or not that alteration affects the external dimensions of the structure. The term does not, however, include either: any project for improvement of a structure to comply with existing state or local health, sanitary, or safety code specifications which are solely necessary to assure safe living conditions.
- (49) "Superintendent" means the certified sewer superintendent in responsible charge of the Town sewer system, or his/her authorized representative, deputy or agent.
- (50) "Parcel" means a tax parcel as recognized by the King County assessor's office.
- (51) "Town" means the Town of Skykomish, a municipal corporation located in King County.
- (52) "Unacceptable effluent" is any substance prohibited or any substance in excess of amounts prohibited under King County Code 28.81, 28.82 and/or 28.84 and King County Department of Natural Resources Rule No. PUT 8-13, as amended or replaced from time to time.
- (53) "Uniform Plumbing Code" or "UPC" means the latest edition of the Uniform Plumbing Code.
- (54) "Unpolluted water" means water in its natural state, or water which after use for any purpose, is not substantially changed as to chemical or biochemical qualities.
- (55) "Wastewater" means the spent water of a community. From the source, it may be a combination of the liquid and water carried wastes from residence and commercial building, industrial plants and institutions, together with any groundwater, surface water and stormwater that may be present.

Article II. Sewer Department

13.20.030 Sewer Department established.

A department of the Town, which shall be known as the sewer department, is established. The officers and other employees shall consist of a superintendent and such other personnel, as the council may from time to time deem necessary for the efficient administration of the department.

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13.20.040 Superintendent – Employment – Salary.

The superintendent of the sewer department and such other personnel as the Town council may from time to time authorize shall be hired by the mayor, subject to council approval and shall hold such employment at the discretion of the mayor. The superintendent and such other personnel as may be authorized shall receive such salary as the Town council shall determine.

13.20.050 Superintendent – Duties.

The duties of the superintendent shall be to oversee, supervise and perform the operation and maintenance of the sewer system in conformance with Town policies. The superintendent shall be responsible for obtaining and maintaining all certifications as may be necessary or required in the performance of his/her duties. The costs of acquiring and maintaining such certifications shall be reimbursed by the sewer department. The superintendent shall at all times be subject to the direction and authority of the mayor or his/her designated representative.

13.20.060 Superintendent – Authority.

- (1) Right of Entry. The superintendent or his/her representatives, bearing proper credentials and identification, shall be permitted to enter upon any and all premises at all reasonable times for the purpose of inspection, observation, measurements, sampling and testing of Town sewer services and performing all other acts or duties required of him/her in accordance with the provisions of this chapter.
- (2) Removal of Trees and Shrubs. The superintendent is authorized to cause the removal of any trees and shrubs from any public area, or the roots of any trees and shrubs which extend into any public area and originate upon or within any parcel, location, or property which is not deemed public when such trees and shrubs or the roots thereof are causing damage to or are liable to cause damage to any Town sewer system component or appurtenance.

13.20.070 Sewer Capital Fund

- (1) A sewer utility capital fund shall be established and maintained by the clerk for collections and expenditures of capital funds for the sewer utility. Expenditures having a useful life of two or more years and being over \$5,000 shall be capitalized and depreciated over the useful life of the improvement or asset. The Natural Resources Damages settlement funds received in accordance with Interagency

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Agreement No. C0900240 between the Town and Ecology, in the amount of \$730,049 shall be deposited in this account.

- (2) Grant funds for capital improvements shall be collected and utilized for the broadest group of sewer utility customers as possible, subject to the constraints of specific grant programs and disbursements.
- (3) The Town shall continue to pursue available grant funding and low-interest loans to fully fund construction of phases I, II and III of the sewer system, per the sewer plan.
- (4) Sewer system connection charge revenue shall be deposited to the capital fund.
- (5) Long-term debt shall only be used to finance capital projects that cannot be financed with current funds or revenues and only under the following circumstances:
 - A. When the project's, improvement's or asset's useful life will exceed the term of financing;
 - B. When the projects revenue or specific resources will be sufficient to service the debt (e.g. local improvement district);
 - C. When the Town council finds the project will benefit the customers of the utility or are required to meet regulations;
 - D. When the Town council determines that debt financing is necessary to provide sewer service charge stability.

13.20.080 Sewer Operation and Maintenance Fund

- (1) A sewer utility operation and maintenance fund shall be established and maintained by the clerk for collections and expenditures of operation and maintenance funds for the sewer utility. Expenditures having a useful life of less than two years and/or being less than \$5,000 shall be treated as expenses. The Natural Resources Damages settlement funds received in accordance with Interagency Agreement No. C0900240 between the Town and Ecology, in the amount of \$834,341 shall be deposited in this account.
- (2) Operation and maintenance fund revenues shall be collected and utilized for the broadest group of sewer utility customers as possible. All ERU's shall be considered as receiving essentially the same benefit from the sewer utility.
- (3) Sewer service charge revenue shall be deposited to the operation and maintenance fund.
- (4) That portion of the operation and maintenance funds collected for depreciation, repair or replacement shall be periodically, but not less than annually, transferred to the capital fund.
- (5) The operation and maintenance fund shall include a sub-account established as the operation and maintenance reserve fund, with an initial balance of \$75,000. Operation and maintenance reserve funds shall be reserved for emergency appropriations at the discretion of the Town council.

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- (6) Sewer service charges shall be established to collect the revenue necessary to:
 - A. pay for anticipated operation and maintenance expenses for the planning period,
 - B. fund depreciation,
 - C. fund repair and replacement,
 - D. maintain the operation and maintenance reserve fund,
 - E. support capital fund debt service at the discretion of the Town council.
- (7) The annual sewer utility budget shall balance operating expenditures with operating revenue. The operation and maintenance fund shall not be balanced with appropriations from the operation and maintenance fund balance, which cause the fund balance of unappropriated funds to fall below \$75,000, except due to emergency expenditures.
- (8) Sewer service charges as set forth in Chapter 13.25.020 shall be reviewed annually and adjusted at the discretion of the Town council.
- (9) Sewer service charges shall be billed monthly on a common bill with the Town's water service and garbage collection charges.
- (10) Sewer service charges shall be billed to the owner of the property but may be billed to the tenant at the written direction of the property owner, but the property owner shall remain fully responsible for prompt and full payment of sewer service charges.
- (11) All fees for permits, fines and miscellaneous charges shall be established to recover the Town's expenses in providing the corresponding service or activity.

Article III. Service

13.20.100 Connection - When required

- (1) Any structure located in the Town to which sewer service is available or can be made available that is occupied by humans or used by humans shall be connected to the sewer system in accordance with these standards prior to issuance of a building permit for any substantial improvement to that structure. The owner of such structure shall connect all plumbing outlets to the sewer system whenever the Town has mailed to the owner of such property at an owner's last known address or personally served upon the owner a notice that the property shall be required to connect to the sewer system.
- (2) Installation and connection shall be made within 90 days after the date of mailing or personal service of notice by the Town, except in an emergency, whereupon connection shall be made within 30 days or such reasonable time as the Town shall require; provided however, structures that are properly connected to an onsite sewer

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disposal system that is treating all sewer in accordance with all applicable law shall not be required to connect; and provided further that the Town may require property owners at their expense to cause tests to be performed to the satisfaction of the Town.

- (3) All plumbing outlets from any building or structure hereafter constructed or made available for human occupation and/or use for any purpose shall, when required by this section, be connected to a public sewer of the Town before the completion of the construction of such building or structure or before any occupancy or use thereof is allowed. In the event that a public sewer capable of serving that building or structure has not been completed by the Town prior to the construction or occupancy of such building or structure, such building or structure shall be connected to the public sewer within ninety days after written notification of public sewer availability.
- (4) No person shall construct any privy, privy vault, septic tank, cesspool, or other facility intended or used for the disposal of sewage in the Town except as expressly provided hereinafter and in applicable local or state department of health regulations and other applicable law.
- (5) Once a structure has been connected to the sewer system it shall not be disconnected for any reason without prior written notification to, and approval of the Town, and then only in compliance with Town regulations, the law and the protection of the public health, safety and welfare. Sewer service charges for any structure disconnected without Town approval shall continue to accrue and to be collected until such disconnection is approved by the Town.
- (6) If an onsite sewage disposal system exists on the property to be connected to the sewer system, the existing onsite sewage disposal system shall be decommissioned and disconnected from the structure per King County Health Department requirements.
- (7) Reconnection to the sewer system is subject to all of the requirements of this title; provided that, an owner shall pay a connection charge only in the amount by which the current connection charge exceeds the amount originally paid.

13.20.110 Sewer service application – Conditions.

- (1) Any owners of property in the Town desiring or directed to have a structure connected to the sewer system of the Town shall make application to the clerk at Town Hall on printed forms to be provided for that purpose. Every application shall be made by the owner of the property to be benefited, or by his authorized agent, on which the sewer is to be used, or for which sewer service is to be provided and the applicant shall agree to comply with the rules and regulations established or that may be established from time to time; and shall further agree, as a condition

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precedent to the furnishing of sewer, that the Town shall have the right at any time, without notice, to shut off and/or restrict sewer usage for repairs, extensions, nonpayment of rates or for any other reason.

- (2) Property owners shall be responsible for all expenses associated with obtaining all necessary government permits, third-party agreements and easements needed to allow sewer service, and all approvals from the Town according to Town procedures before making any sewer connections to the sewer system.
- (3) Property owners shall pay all fees and charges imposed by the Town and grant any required access or right of entry for installation of the onsite facility and before final connection to the sewer system.
- (4) Prior to the initial commitment deadline for the applicable phase of the sewer plan, the Town shall waive the application/permit fee for the initial application for sewer service to eligible structures, provided; however, that the property owner shall have made a complete sewer service application, including easement, bill of sale and other forms and information required herein.

13.20.120 Approval of application for sewer service connection.

The application for sewer service connection shall be approved or disapproved by the clerk within 30 days after application is filed with the clerk. The application for sewer connection shall be submitted in writing and shall contain the information required per Section 13.20.360.

13.20.130 Accepted application considered.

In case the premises of the application for sewer service are connected for service as a result of his application being accepted, an approved copy of the application for sewer service shall be considered as a contract in which the applicant agrees to abide by such rates, rules and regulations, and to pay all bills promptly. Such contract shall be subject to all the provisions of this chapter or any ordinances of the Town of Skykomish relating to this subject as are in effect at the time of signing the application or as may be adopted thereafter by the Town.

13.20.140 Location change – Cost provisions.

When it is necessary for the convenience of the Town or because of the installation of new sewer mains, or for any other reason, to change an existing domestic sewer service location, such new location shall be made at the cost and expense of the sewer department.

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13.20.150 Extensions – Petition procedure.

- (1) Extensions to sewer mains will be made only upon proper petitions to the Town. The Town shall have the right to reject such petitions. Approved petitioners shall pay the total amount of the costs to the Town prior to installation of the main extension.
- (2) If more than three separate structures are to be connected by the Town for the same property owner, or if a sewer line is constructed or is to be constructed that is intended to become a part of the sewer system, the Town may require the property owner to complete such connection or construction as a developer extension. Before an application to connect to the sewer system is approved, the property owner shall pay the balance of the Town's expenses as required per the Town developer extension process, as may be adopted by the Town.

13.20.160 Service connection – Material and procedures.

- (1) Each property shall be served by a side sewer to connect the onsite facility to the sewer main. Side sewers shall be provided to the edge of right of way or sewer main easement for each tax parcel in front of a sewer main with installation of the sewer main (by the Town or by developer extension), whether sewer service is immediately desired or not for that parcel. However, at the discretion of the sewer superintendent, side sewers may be omitted where the property for which a side sewer would otherwise be provided is unbuildable due to zoning rules, presence of critical areas, conservation easements, or other reasons. The portion of the side-sewer in the public right of way or sewer main easement intended to serve a single family residence shall be two-inch minimum diameter. If a side sewer is intended to serve multiple properties (i.e. to be split at the property corner to two adjacent parcels) or will serve any land use other than a single family residence, the portion of the side sewer in public right of way or sewer main easement shall be a minimum of four-inch diameter, or larger per subsection (2) below. If a side sewer is not available for a parcel at the time of connection (e.g. parcel was subdivided or side sewer is not in a location practical for connection to the structure), the property owner shall install a side sewer from the point of connection to the sewer main, at his/her/sole expense. Where connection to an existing sewer main is required, the side sewer connection shall be completed using a gasketed cut-in tee or an Inserta-Tee or approved equal gasketed fitting, or other method acceptable to the sewer superintendent.
- (2) A two-inch side sewer shall be required for any single-family dwelling. Commercial structures and multiple dwellings to a maximum of thirty family units shall be served by a four-inch line. Six-inch lines shall be required for any additional units thereafter. A six-inch side sewer shall be required for any building or structure not listed above.

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- (3) All side-sewers and onsite facilities shall be installed or reconstructed as provided by the then-current requirements of the Town. Failure to comply with Town requirements shall be grounds for refusing to connect the property to the sewer system or to disconnect unlawfully connected properties.
- (4) The building sewer shall be a minimum of four-inch diameter pipe for all premises. The side sewer shall be constructed of minimum two-inch diameter for single-family residential premises and minimum four-inch internal diameter pipe for all other premises. All building sewer and side sewers shall be PVC SDR 35 pipe per ASTM D-3034, with rubber-gasketed joints. The building sewer pipe shall be installed on not less than two-percent grade (two feet of fall per hundred feet of run length) nor more than two-hundred-percent grade (two vertical to one horizontal). Building sewers shall not be installed less than 30 inches from any foundation wall of any building, and if there is no foundation wall, not less than 30 inches from the outer lines of any footings, pilings, or building supports. Minimum cover shall be not less than eighteen inches. The building sewer shall be installed at uniform grade and in straight alignment so far as is possible, with a cleanout at the connection to the structure plumbing outlet. Side sewer pipe shall be installed on not less than one-percent grade (one foot of fall per hundred feet of run length) nor more than two-hundred-percent grade (two vertical to one horizontal). Changes in alignment shall be made only with curved pipe to the extent allowed by the pipe manufacturer, or with fittings with no greater than 45 degree bends. The connection to the building plumbing shall include a cleanout to grade, terminating in a threaded or gasketed removable cleanout cover. All pipe shall be laid on firm earth bedding containing material no larger than one inch. The pipe shall be laid on a four-inch granular base of pea gravel and sand mixture, and backfilled to a point four inches over the pipe of the same granular material. Backfill above the pipe bedding shall be select material, compacted, with no material larger than one inch. Sewer connections for trailers and other mobile living units shall be of a type approved by the Town but in all cases shall be above grade and shall have the ability to be made airtight and watertight when not in use.
- (5) With the exception of the limited number of existing tanks to be authorized by the Town for use in phases I or II, the sedimentation tank for each onsite facility shall be 1,000-gallon minimum capacity tank suitable for buried earthen and groundwater loading conditions with top slab and risers suitable for supporting dead load from earthen cover, with two compartments, with an access port to grade level for each compartment. The sedimentation tank shall be from a manufacturer and of a design and material as approved by King County Department of Health for septic (i.e. sedimentation) and/or pump tank as appropriate. Where the sedimentation tank shall be subject to traffic loads, traffic-rated covers shall be provided. The

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sedimentation tank shall be installed by a King County Master Installer as certified by the King County Health Department.

- (6) For properties to be served by a STEP, the Town shall determine the specific type or model of pump, controls and appurtenances for the specific types of pumps and hydraulic conditions as appropriate for various properties in the Town. The packaged system for single-family residential connections shall include a single submersible effluent pump with check valve in pre-cast concrete sedimentation tank. The system shall include inlet plumbing connection, pump mounting plate with lifting eyes, submersible-type motor with overload protection, mechanical pump seal, discharge piping, check valve (in addition to the pump-mounted check valve) and shut-off valve within or immediately outside pump basin, automatic liquid level controls, high water level alarm, main electrical control panel with alarm light and horn, connection to Town electrical load center, complete unit testing and all other features required for proper and safe operation, per state and local codes. The pump assembly shall be connected to the sewer system with pressure discharge piping so described below. The pump chamber and/or sedimentation tank and connection thereto for side sewer shall be at such elevations as to provide gravity sewer service to the lowest finished floor of the structure.
- (7) The pump discharge piping (for a STEP) shall be a minimum of 1-1/4-inch diameter and shall be made of polyethylene (200 psi per ASTM D2239). The pressure sewer shall be installed with a continuous detectable tracer wire taped to the pipe. The wire shall be terminated above grade at the pump sump and at the valve at the connection to the pressure sewer in the public right-of-way. All pump discharge piping shall be laid on a positive, uphill grade with no high points in the line where air might be trapped. The pressure piping shall not be laid less than 30 inches from any foundation wall of any building and, if there is no foundation wall, not less than 30 inches from the outer lines of any footings, pilings or building supports. Minimum cover on private property shall not be less than 18 inches and shall not be less than 36 inches at or within five feet of the property line. Pipe shall connect to the check valves within or immediately adjacent to the pump basin and to check and shut off valve at the stub connection at or near the property line. If the stub connection does not include a check valve, ball valve (shut-off) and 6" diameter PVC curb box to grade, such shall be installed as part of the connection to the sewer system. Pipe bedding shall be gravel bedding or select native material, free from aggregate larger than 1/2" inch. The pump discharge piping shall be laid at uniform grade and in straight alignment so far as is possible. Curving the pipe within limits recommended by the manufacturer shall make necessary alterations in direction or grade. Where more abrupt realignment is required, a maximum 45-degree bend fitting may be used. No water line shall be laid in any form or manner in the same ditch line as the pressure sewer or the side-sewer. The pressure sewer and side-sewer must be

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installed so as not to interfere with or be constructed within three feet of any potable water line. Pump discharge piping shall be tested to its working pressure rating, or 150 percent of actual working pressure, whichever is less.

- (8) The Town council shall establish modified or supplemental requirements for the onsite facility for service to multiple family structures or commercial or other developments.
- (9) Prior to the initial commitment deadline for the applicable phase of the sewer plan, the Town shall install at the Town's expense, the necessary onsite facility according to Town requirements, standards and specifications for sewer service to eligible structures, provided however, that the property owner shall have made a complete sewer service application, including easement, bill of sale and other forms and information required herein, and that the Town shall have approved such application. Following the initial commitment deadline for the applicable phase of the sewer plan, the owner shall install at their sole expense, the necessary onsite facility according to Town requirements, standards and specifications.
- (10) Connection to the sewer system shall be made only after the final inspection of the building sewer, the onsite facility by the Town and the Town's final acceptance thereof.

13.20.170 Connection location.

- (1) A single side sewer shall be provided for every structure unless the connection of more than one structure to a single side sewer is approved by the Town in writing prior to construction of such side sewer. A connection to the sewer main must be made on the same lot as is occupied in whole or in part by a building or structure. Service pipes from a customer's line shall not run to other lots. Private sewer pipes shall not cross alleys or streets.
- (2) The Town shall determine the location on the property of the onsite facility and side sewer. For properties to be served by a STEP the property owner shall not construct or install improvements or barriers that impede the property owners' access to or vision of the pump control panel and alarm light. The property owner shall not construct or install improvements or barriers which cover, bury or otherwise impede the Town's ability to access the onsite facility for inspection, maintenance, repair and/or replacement.
- (3) If the property owner constructs or installs improvements or barriers which impede the Town's access to, or vision of, the pump control panel and alarm light or covers, buries, or otherwise impedes the Town's ability to access the onsite facility then the Town will notify the property owner that they are in violation of this title. The notice will identify the improvement or barrier to be removed and the date by which it must be removed. The owner shall have thirty (30) days from date of receipt of notice to

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remove the improvement or barrier. Thirty days after mailing notice to the property owner the Town may enter the property and remove the improvement or barrier at the expense of the property owner. Nothing in this section shall prohibit the Town from entering onto a property in response to an emergency or to effect emergency repairs or otherwise enforce its rights to any easement or access to any onsite facility.

13.20.180 Ownership of service pipe and connections.

- (1) After the applicable fees and charges have been paid, all forms have been executed and the building sewer, onsite facility and side sewer have been inspected and approved for service by the superintendent; the onsite facility and side sewer shall be installed and kept in the exclusive control and ownership of the Town. The Town shall then assume responsibility for ownership, operation, maintenance, inspection of the onsite facility, including periodic removal of accumulated solids from the sedimentation tank. The property owner shall install, modify and/or extend, at the owner's expense after the initial commitment deadline, the building sewer. Following final approval of the installation by the Town, the building sewer shall be owned and maintained by the property owner.
- (2) If the owner furnishes and installs the onsite facility, the owner shall convey to the Town by bill of sale the onsite facility for ownership and maintenance. The bill of sale (conditioned upon final inspection and approval of the onsite facility) shall be submitted prior to construction.

13.20.190 Connection – Limitations.

Construction of the building sewer shall not be completed nor shall construction of the onsite facility begin until approval of the connection to the sewer system has been approved by the Town.

Article IV. Use Regulations

13.20.200 Sewer restrictions.

- (1) No person shall discharge into the sewer system any unacceptable effluent.
- (2) Connection of storm drains, downspouts, yard drains, or other facilities carrying surface run-off to the sewer system is prohibited without the Town's written approval.
- (3) Any person who violates any provision of this section shall be liable to the district or the damages and cost, if any, caused by such violation.

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- (4) All measurements, tests and analysis of the characteristics of waters and wastes to which reference is made in this chapter shall be determined in accordance with standard methods and shall be determined at the control manhole. In the event that no special manhole has been required, the control manhole shall be considered to be the nearest downstream manhole in the public sewer to the point at which the side sewer is connected.
- (5) FOG Accumulations and Obstructions and Grease Interceptors: Discharges of FOG shall not result in significant accumulations which either alone or in combination with other wastes is capable of obstructing flow or that interfere with the operations or performance of the sewer system. All commercial and/or retail food preparation operations, regardless of size, shall install, operate and maintain a grease interceptor upstream of the onsite facility serving the property. Grease interceptors shall be:
 - A. configured and situated in a location suitable for representative sampling of effluent, and this sample site shall be accessible to Town personnel upon reasonable notice, but shall be accessible no greater than three business days following notice from the Town that such access is requested,
 - B. sized and configured with multiple compartments in compliance with the UPC, Appendix H,
 - C. installed outside the building in a location approved by the Town,
 - D. installed prior to approval of the initial connection.

Non Polar FOG (mineral origin/petroleum-based): Non Polar FOG Limit: 100 mg/l. The limit for non polar FOG is violated when the arithmetic mean of the concentration of three grab samples, taken no more frequently than at five (5) minute intervals, exceeds the limitation. Residential dischargers who violate the non polar FOG limit may be required to complete, for Town review and approval, a FOG control plan as outlined below.

Polar FOG (animal and vegetable): Dischargers of polar FOG shall minimize free-floating polar FOG and in no case discharge in excess of 100 mg/l of polar FOG. Dischargers may not add emulsifying agents exclusively for the purposes of emulsifying free floating FOG. Residential dischargers who discharge free floating polar FOG or FOG in excess of 100 mg/l shall be required to complete, for Town review and approval, a FOG control plan as outlined below.

FOG Control Plans: All commercial and/or retail food preparation operations, regardless of size, shall prepare a FOG Control Plan. A copy of the plan shall be filed with the Town. The goal of the FOG control plan is to implement reasonable

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and technically feasible controls of free floating FOG. The basic components of the FOG control plan should include:

- A. A written policy articulating management and corporate support for the plan and a commitment to implement planned activities and achieve established goals.
- B. A description of the facility type and a summary of the products made and/or service provided.
- C. Quantities of FOG brought into the facility as raw product, amounts contained in products, and quantities discharged to the sewer.
- D. Schematics of process areas illustrating drains and discharge points connected to the sewer.
- E. A description of current reduction, recycling, and treatment activities.
- F. Identification of a full range of potentially feasible reduction opportunities.
- G. A description of the reduction or control opportunities selected for implementation, process(es) affected, and estimated reductions to be achieved.
- H. Specific performance goals and implementation schedule.
- I. An access easement in favor of the Town allowing for inspection to determine compliance with the plan.

Grease Interceptor Maintenance and Monitoring: The property owner shall provide regular maintenance and monitoring of the grease interceptor at the owner's expense as follows:

- A. Maintenance of grease interceptors shall include the complete removal, to the extent technically and mechanically possible, of the entire contents including floating materials, sewer, and bottom sludge and solids.
- B. Grease interceptors shall be pumped out completely every three months or more frequently if deemed necessary by the Town. The Town may grant approval for less frequent pumping for dischargers of small quantities of FOG.
- C. All waste removed from the grease interceptor shall be properly disposed of outside the sewer system.
- D. The property owner shall maintain a record of each pumping of a grease interceptor for the prior 12 months. The record shall be kept on a form provided by the Town, to be updated from time to time, and include date, time, amount pumped, hauler and disposal site and shall be kept on site available for inspection by the Town upon reasonable notice. The information in this record shall be reported to the Town for each prior calendar year, by January 31 of the following year.

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- E. Failure to comply with the FOG planning and compliance requirements of this resolution shall be subject to a fine imposed by resolution of the Town council.

13.20.210 Shut off.

The Town reserves the right to at any time without notice discontinue or restrict sewer usage for repairs, extensions, non-payment of charges for sewer service and/or water service from the Town for the same connection or premises, or any other necessary reason and the Town will not be responsible for any damage from this cause such as backups, flooding, overflows, etc. of fixtures connected with the Town sewer system. The Town will exercise reasonable diligence and care to furnish a continuous sewer service to the customers, and to avoid any interruption of service. In cases where shutoff or restriction of sewer usage is necessary for repair, reconstruction, improvements, damage prevention, or similar causes, the sewer department shall endeavor to give advance notices to its customers of such expected shutoff/restriction.

13.20.240 Customer's responsibility.

The sewer and waste plumbing and piping upstream of the building sewer on said property shall be the customer's responsibility and in no way is the Town liable for any damage resulting from leaks, overflows, backups, flooding, shut off, etc., whether from sewer system fault, water system fault, or natural disaster except as provided by RCW 4.96.010.

13.20.300 Town correction of conditions caused by violation.

Any person who shall violate any of the provisions of this title shall become liable to the Town for any expenses, loss or damage occasioned by the Town by reason of such violation.

13.20.320 Town authority to make decision.

The Town council shall have the authority to decide any questions which may arise and which are not fully covered by any of the provisions of this title, and its decision in such cases shall be final.

13.20.330 Enforcement authority of sheriff's department.

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It shall be the duty of the employees of the sheriff's department to give vigilant aid to the sewer department in the enforcement of its rules and regulations, and the enforcement of this title, and to this end they shall report all violations thereof, which come to their knowledge, to the office of the sewer superintendent.

Article V. Permits and Applications, Review and Approval.

13.20.350 Permit needed.

It is unlawful for any person to make any connection with, commence construction of, change the use of, or expand the use of any Town sewer line or Town sewer service or to make any sewer line extension without complying with all of the provisions of this chapter in relation thereto and having first procured a permit to do so from the Town.

13.20.360 Permit application – Forms and content

Application for the permit for sewer service as required shall be filed with the clerk, including payment of the application/permit fee and shall include the following information:

- (1) The name and address of the owner and the correct address and proper legal description of the property to be served;
- (2) The building permit number, or the building official's signature signifying that no permit is required;
- (3) The dimensions and locations of any buildings on the property and the preferred location of the onsite facility and side sewer;
- (4) The use for which the service is intended and the number of dwelling, office, commercial or other units on the property;
- (5) The location of all sewer, drain, potable sewer, and non-portable lines within the property to be served or property through which the service must cross, with an acceptable easement, including location of plumbing outlets and preferred location of the building sewer;
- (6) For properties served by a STEP, the property owner shall execute and deliver a hold-harmless agreement between the Town and the property owner(s) releasing the Town from liability if damage occurs because of the failure of the property owner or occupant to discontinue use of the STEP and/or to notify the Town while the controls for the STEP indicate the system is in a failure mode (e.g. audible alarm or illuminated alarm signal).
- (7) Preferred dates of construction, installation and connection.

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- (8) Fully executed easement for the onsite facility.
- (9) Any other information, due to the particular circumstances of the property or use thereof, the Town reasonably deems necessary to ascertain whether or not the permit should be issued.

13.20.370 Permit application – Review and approval.

- (1) The application shall be submitted to the sewer superintendent, who may change or modify the same and designate the manner and place in which such Town sewer service shall be connected with the Town sewer system, and shall endorse his/her approval upon the application if the same is acceptable to him/her. The superintendent may require the permittee to furnish him/her additional detailed plans and specifications pertaining to the application and issuance of the permit. The application shall then be returned to the clerk for final fee and charge determination, and final approval.
- (2) The clerk shall compute the system development fee and any latecomer fee due prior to the issuance of the permit.

13.20.380 Permit issuance.

After review and approval as hereinabove required, the clerk shall, upon receipt of all fees, sign the application and issue the permit

13.20.390 Record keeping.

The superintendent shall prepare and keep on file in his/her office all records of Town sewer service connections showing the information obtained in the course of inspection of the work completed under such permits.

13.20.400 Licensed contractor when required.

It is unlawful to construct, extend, relay, repair, change the use of, expand the use of, or to make connection to any Town sewer service without obtaining a permit from the Town as hereinabove provided. The Town may issue such permit to the owner or occupant of any property to construct, extend, relay, repair, change the use of, expand the use of the building sewer; in such event, however, such owner or occupant shall comply with the applicable provisions of this chapter, except that he/she need not employ a licensed sewer contractor to do the work if he/she makes the installation him/herself. However, sedimentation tanks shall be installed by King County Master

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Installers, as certified by the King County Health Department. However, should the owner or occupant employ another person to construct, extend, relay, repair, change the use of, expand the use of the building sewer, it must be a licensed contractor as set forth hereinafter, and such contractor may secure the permit, but in such event the owner, occupant, or other person shall not lay pipe pursuant to such permit.

13.20.410 Extension and connections in public areas.

It is unlawful for any person to construct a Town sewer service or sewer extension or to make any connection to any Town sewer system, or to lay, repair, alter or connect any Town sewer service in any public area except by Town utility personnel or a licensed sewer contractor as described in this chapter.

13.020.420 Contractor work on Town sewer system.

No person other than contractors approved by the Town shall make any connections to or perform any work upon the sewer system. No licensed sewer contractor shall alter, extend or tamper with any Town sewer system component, except in accordance with the conditions of the permit and Town ordinances, nor without the approval of the sewer superintendent.

13.020.430 Safeguarding excavations

It is unlawful for any person, whether owner, occupant, or licensed sewer/sewer contractor, to leave unguarded any excavation made in connection with the construction or repair of any Town sewer service within four feet of any public place or fail to maintain the lateral support of any public place in connection with the construction, alteration or repair of any Town sewer service.

13.020.440 Additional work – Approval required.

When a permit has been issued as herein provided, no work other than that covered by the permit shall be done without the approval of the superintendent; if the superintendent deems the additional work of sufficient consequence, a new permit may be required to cover the same.

13.020.450 Disconnection or removal of service.

It is unlawful to disconnect any Town sewer service, or remove any portion of a Town sewer service without securing a permit from the superintendent to do so. When any

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property owner desires to have sewer service terminated for any property because the building or structure thereon is either removed, destroyed or condemned, whether by public health authorities or by a public entity having the power of condemnation, the side sewer shall be capped or sealed in a manner approved by the Town. The owner shall apply to the Town for a capping permit, on a form supplied by the Town. Upon the issuance of the permit, the owner shall have permission to cap his sewer line at the point designated by the Town. The disconnected service shall be plugged at a point designated by and to the satisfaction of the superintendent.

13.020.460 Sewer extension standards.

- (1) All extensions to the sewer system must conform to these design standards, the requirements for collections systems per the Ecology "Criteria for Sewage Works Design" (Orange Book), latest edition, and the requirements of the sewer superintendent.
- (2) Plans shall be prepared at a scale of 1" = 50' (horizontal) and 1" = 5' (vertical) or other scale as appropriate for the specific project, subject to the approval of the sewer superintendent on 22" x 34" mylar. The minimum text height shall be 0.12 inch. The plans shall be sealed by a professional engineer licensed in Washington. The sewer extension shall be shown on a sheet separate from the water, storm drainage and roadway plans. If the project is part of a phased development, a plan of the entire development shall be included, with the current phase clearly indicated.
- (3) The construction plans shall be reviewed or prepared by the Town or its designated consulting engineer. The developer shall submit three (3) sets of plans for review. When the plans have been determined to meet the Town standards, then a final set of reproducible plans shall be submitted to the Town. These reproducible plans shall receive the Town's "plan review" approval stamp. After approvals have been received, a set of plans stamped "Issued for Construction" shall be made available to the developer.
- (4) When the contractor completes the sewer extension work the mylars of the sewer plans shall be revised to conform with construction records, and then sent to the Town. Prior to submitting revised plans, manhole inverts and horizontal alignment shall be verified by a professional land surveyor. Archive-quality mylars are required for the record drawings.
- (5) All rights-of-way in which the sewer extension is to be made shall be improved at least to completion of subgrade prior to installation of the sewer. Permanent private easements shall be not less than ten feet (10') in width. Public rights-of-way shall be cleared, grubbed and graded in accordance with the requirements of the Town and/or King County road standards. Monuments disturbed or destroyed shall be replaced at the developer's expense.

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- (6) Unless otherwise called for by the in the specification and plans, gravity sewers shall be PVC pipe. Ductile iron or concrete may be required in certain applications. PVC pipe shall comply with ASTM D3034, SDR 35, ductile iron pipe shall comply with AWWA C151 and concrete pipe shall comply with ASTM C14.
- (7) Manholes shall be precast concrete, shall be 48" inside diameter and shall conform to ASTM C478. Manhole joints shall be sealed watertight and manhole and cleanout covers shall be locking type of a configuration to match the covers installed for implementation of Phase II and shall be supplied with stainless steel allen head cap screws.
- (8) Pressure mains shall be ductile iron, high density polyethylene (HDPE), or PVC, of a pressure class suitable for the anticipated working and surge pressure. All joints for sewers or pressure mains shall be of the rubber gasket type for ductile iron or PVC pipe, or butt-fusion for HDPE pipe.
- (9) The pipe sizes routing and alignment (including build-through) shall be selected as is indicated by good practice and shall conform to the sewer plan, as approved by the sewer superintendent. The sewer system extension shall be sized and routed to meet the following criteria:
 - A. Provide sewer line to serve all the frontage of all lots in the proposed development, so as to limit the length of side sewers to 150 feet.
 - B. Connect between the sewer system in the proposed development and the Town's existing sewer system and in the manner indicated by the Town.
 - C. Extend sewer main through the property for potential future connection or extension in accordance with the Town's sewer plan or as required by the Town.
 - D. Pipe diameter shall be minimum of 4 inches, or larger as required for future service in accordance with Town's sewer plan.
- (10) Minimum grade for 4-inch mains shall be 0.40% unless otherwise approved by the Town. Minimum grade and design criteria shall be in accordance with the Orange Book, unless Town criteria are more stringent.
- (11) Cleanouts shall be placed at each grade and direction change.
- (12) The grade for side sewer stubs shall be a minimum of one percent (1%).
- (13) Legal descriptions for easements to be dedicated to the Town for all portions of the sewer system which lie outside of public street rights-of-way shall be signed and stamped by a professional land surveyor and transmitted to the Town. Easements shall be twenty (20) feet in width or as required by the Town. An easement may coincide with another utility easement, except that all sanitary sewer lines must be ten feet or more from water lines and other utilities must be a minimum of five feet from the water lines. Sewer mains shall be located no closer than ten (10) feet from the easement edge. There shall be a separate easement provided for each lot that a sewer line crosses.

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- (14) No work on the sewer system shall be performed without a Town inspector being present. The Town may refuse acceptance of any portion of the work installed without the inspector having reviewed the work. The Town must be notified a minimum of two full working days in advance of the starting date and time to arrange for and schedule the inspector. Work must proceed in a continuous manner. If there are no breaks in construction, there must be two working days' notice before beginning work again.
- (15) The developer or contractor shall furnish cut sheets to the Town for review two work days prior to the start of construction. Cut sheets shall include offset hubs at manholes (new and/or existing) and at 25' and 50' upstream of manholes (unless the distance to the next manhole is shorter) and every 100 feet thereafter. Construction shall not commence until contractor has received the cut sheets approved by the Town.
- (16) The approved construction plans and specifications shall be followed. No deviations will be allowed without request for change and approval received from the Town. The Town reserves the right to order changes in the event of conditions or circumstances discovered during construction. Such changes could result from the ability or care shown by the contractor, natural and man-made conditions, or any other reason.
- (17) The contractor shall exercise extreme care in checking and cleaning all pipes and fittings of dirt, debris, and/or any foreign matter during installation. All material shall be kept clean. Plugs shall be used to seal system installed when it is to be left for any period of time, including lunch breaks, coffee breaks, and overnight. Pipe and fittings will be cleaned before installation if contaminated by dust, smoke, exhaust or any other material. Material contaminated by petroleum products or questionable chemical will be rejected. No trench water is to be allowed to enter installed system.
- (18) All connections to existing Town mains and manholes must be performed while the inspector is present.

Article VI. Charges, Fees and Costs

13.020.470 Costs to property owner.

There shall be a nonrefundable sewer service permit application fee as determined by the Town council, payable at the time of application. For extraordinary applications, at the discretion of the clerk and sewer superintendent, the application fee shall be amended by the superintendent at the time of final inspection to reflect the actual cost of providing the permitting service plus a 15 percent administrative fee and payable prior

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to use of the sewer service connection. There shall be no application fee for a permit to disconnect a service. The sewer service application fee shall not be applicable for a connection, initiated for an eligible structure prior to the initial commitment deadline for the applicable phase of the sewer plan.

13.020.480 Installation charges.

The charge for the physical installation of any part of a Town sewer service within any public area by Town utility personnel, as provided for in this chapter, shall be the actual cost of the labor, equipment, and materials plus a 15 percent administrative fee to cover overhead and billing. This charge shall be due upon completion of the work and paid prior to use of the sewer service connection. The installation charge shall not be applicable for a connection initiated for an eligible structure prior to the initial commitment deadline for the applicable phase of the sewer plan.

13.020.490 Connection charge.

- (1) A sewer connection charge shall be paid for each ERU, as set forth in Chapter 13.25.060, for those premises connecting to the sewer. However, the sewer connection charge shall be waived for those eligible structures connecting to the sewer system prior to the initial commitment deadline for the applicable phase of the sewer system.
- (2) The connection charge shall be paid in the following manner:
 - A. payment of five percent of the total fee prior to the issuance of the Town sewer service permit, with the balance received prior to the final approval or use of the Town sewer service; or payment in accordance with a contract with the Town, approved by the Town council. Such contract shall include appropriate interest, a 15 percent administrative fee (nonrefundable) and a requirement that upon sale or transfer of any interest other than a leasehold interest in the property for which the permit has been granted, the entire remaining balance due for payment of the permit shall become immediately due and payable without further notice by the Town.
- (3) The sewer connection charge shall not apply to Town-owned properties or facilities.

13.020.500 Abandonment of service line.

- (1) Any property owner may voluntarily abandon their service line and shall do so by written notice of their intentions to do so to the Town. Such service line shall be deemed abandoned upon receipt of said notice, and physical capping of the side sewer as required by the sewer superintendent.

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- (2) If a service line is abandoned and capped pursuant to this article, service charges to the property or building shall cease to accrue upon the effective date of the abandonment. However, abandonment pursuant to this article shall not relieve the owner of their obligation to pay the sewer utility balance due, prior to the date of abandonment.

13.20.510 Inspection fee.

An inspection fee based upon the cost of providing the inspection plus a 15 percent administrative fee shall be charged by the Town whenever any work for which a permit is required by this chapter has been commenced without first obtaining such permit. A special investigation shall be made before a permit may be issued for such work.

13.020.520 Investigation fee.

- (1) An investigation fee based upon the cost of providing the investigation plus a 15 percent administrative fee shall be charged whenever any work for which a permit is required by this chapter has been commenced without first obtaining such permit. A special investigation shall be made before a permit may be issued for such work.
- (2) The investigation fee, in addition to the permit fee, shall be collected whether or not a permit is then or subsequently issued. The payment of such investigation fee shall not exempt any person from compliance with all other provisions of this chapter nor from any penalty prescribed by law.

13.020.530 Sewer use charges.

- (1) Sewer user charges shall be due starting three months from the date of issue of the first Town sewer service permit to the owner, the first month sewer from the Town sewer service is approved for use, or the month in which an occupancy permit is issued, whichever occurs first, and shall be payable for the whole month.
- (2) The service charges shall continue until the service is abandoned.

13.020.540 Latecomer charges.

No permit shall be issued pursuant to this chapter until all latecomer charges, as might be required to be paid under contract with the Town, have been paid.

Article VII. Inspection

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13.020.680 Procedure.

- (1) No trench shall be filled or any Town sewer service covered until the work has been inspected and approved by the superintendent. Any person performing work under a permit issued pursuant to this chapter shall notify the superintendent when the work will be ready for inspection. The superintendent shall make such inspection within 48 hours after receipt of notice, excluding Saturdays, Sundays, and holidays.
- (2) When so directed by the superintendent, either the licensed sewer/sewer contractor or a competent representative shall be available to meet the superintendent on the premises for the inspections. In the case of Town sewer services where the owner or occupant is doing the work, the owner, occupant or a competent representative shall be available to meet the superintendent on the premises for the inspections when so requested.

13.020.690 Completion of work in public areas.

All work within the limits of any public area shall be prosecuted to completion with due diligence and, if any excavation is left open beyond a time reasonably necessary to fill the same, the superintendent may cause the same to be backfilled and the public area restored forthwith.

13.020.700 Backfilling of excavations.

All excavations made by any person in any public area shall be made and backfilled in accord with this chapter and the sewer construction standards.

Article VIII. Approved Contractors

13.020.710 License assurance.

- (1) As a condition precedent to the installation of Town sewer services or sewer line extensions, a contractor shall be approved in writing as a licensed sewer contractor by the sewer superintendent.
- (2) All sewer/sewer contractors shall be licensed and bonded in accordance with the requirements of the state of Washington. Sedimentation tanks shall be installed by King County Master Installers, as certified by the King County Health Department.

13.020.720 Surety bond.

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The licensed sewer/sewer contractor applicant shall execute and deliver a surety bond in the amount of the contractor's bid or amount specified by the sewer department, conditioned that he/she will perform all work in conformance with this chapter.

13.020.730 **Liability insurance.**

- (1) The licensed sewer/sewer contractor shall maintain a comprehensive liability insurance policy with minimum limits of \$1,000,000 or as set forth in the sewer construction standards.
- (2) The insurance policy or certificate of insurance in form satisfactory to the sewer department must be filed in Town Hall. The licensed sewer/sewer contractor shall provide that the following hold harmless agreement shall be covered by insurance, subject to the minimum limits of liability specified above, and that evidence of the covering of this hold harmless agreement be furnished:

The contractor shall protect, indemnify, and save the Town of Skykomish harmless from and against any damage, cost, or liability for injury or death to persons or to damage or destruction of property arising out of the work performed by the contractor.

Article IX. Enforcement

13.020.740 **Service forfeiture.**

Any entity or person(s) who willfully and knowingly tampers, interferes or in any way hampers the operation and maintenance of the Town of Skykomish sewer system shall forfeit the right to the use of the Town of Skykomish sewer service.

13.020.750 **Costs recovered.**

- (1) The responsible party(ies) shall pay direct costs to correct any damage done or maintenance work done directly or indirectly to the Town of Skykomish sewer system because of hampering, blocking or interference with access to any part of the Town of Skykomish sewer system including but not limited to the Town sewer onsite facilities, side sewers, mains, manholes, cleanouts, collection system, lift or pump stations, treatment plant, drainfield, any appurtenances thereto, improvements, lawns, grass plots, flowers, vines, bushes or trees belonging to, connected with, or under the control of the sewer department of the Town of Skykomish.

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(2) The responsible party(ies) shall pay all attorney and legal fees associated with any damage done or maintenance work done directly or indirectly to the Town of Skykomish sewer distribution and storage system because of hampering, blocking or interference with access to any part of the Town of Skykomish sewer system including but not limited to the Town sewer onsite facilities, side sewers, mains, manholes, cleanouts, collection system, lift or pump stations, treatment plant, drainfield, any appurtenances thereto, improvements, lawns, grass plots, flowers, vines, bushes or trees belonging to, connected with, or under the control of the sewer department of the Town of Skykomish.

13.20.760 Violation – Penalty.

Any person who violates any provision of this article is guilty of a misdemeanor and upon conviction thereof shall be punished by a fine in any sum not exceeding \$1,000 or by imprisonment for a term not exceeding 90 days, or by both such fine and imprisonment.

13.20.770 Dispute resolution

The dispute resolution provisions in Section 13.25.050 are incorporated herein by reference.

13.20.780 Notice

Unless otherwise required under any provision of this chapter, the following provisions shall apply to all notices. All notices must be in writing and, where applicable, on forms provided by the Town. All notices shall be personally served or shall be mailed by certified mail, return receipt requested. Notices to the Town shall be mailed or delivered to the Skykomish Town Hall. Notices to customers and property owners shall be mailed to the last known billing address provided to the Town by the customer or property owner.